

ORIGINAL

USDC OCT 24 '19 10:10PM

**COMES NOW, Plaintiff Willis C. McAllister with the following Notice of**

**Appeal:**

Notice is hereby given that Plaintiff Willis C. McAllister, in the above styled action, hereby appeals to the United States Court of Appeals for the 9th Circuit, **from the District Court's 10/24/2019 Order (ECF #6).**

**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:19-cv-00497-DKW-RT**

McAllister v. Dispute Prevention and Resolution, Inc. et al	Date Filed: 09/11/2019
Assigned to: JUDGE DERRICK K. WATSON	Jury Demand: Plaintiff
Referred to: MAGISTRATE JUDGE ROM TRADER	Nature of Suit: 190 Contract: Other
Cause: 28:1332 Diversity-Breach of Contract	Jurisdiction: Diversity

**Plaintiff**

**Willis C. McAllister**  
(email:  
*mcallister20032003@yahoo.com*)

represented by **Willis C. McAllister**  
1111 Piikoi St.  
Honolulu, HI 96814  
(808) 341-8117  
PRO SE

V.

**Defendant**

**Dispute Prevention and Resolution,  
Inc.**  
*doing business as*  
DPR Hawaii

**Defendant**

**Keith W. Hunter**

(President/CEO)

**Defendant**

**Stefan M. Reinke**  
Esq., (Arbitrator)

**Defendant**

**Kelly Bryant**

Date Filed	#	Docket Text
09/11/2019	<u><a href="#">1</a></u>	Plaintiff's Original COMPLAINT; Jury Trial Demanded against All Defendants - filed by Willis C. McAllister. (Attachments: # <u><a href="#">1</a></u> Exhibit 1, # <u><a href="#">2</a></u> Exhibit 2, # <u><a href="#">3</a></u> Exhibit 3, # <u><a href="#">4</a></u> Exhibit 4, # <u><a href="#">5</a></u> Exhibit 5, # <u><a href="#">6</a></u> Exhibit 6, # <u><a href="#">7</a></u> Exhibit 7, # <u><a href="#">8</a></u> Exhibit 8, # <u><a href="#">9</a></u> Exhibit 9, # <u><a href="#">10</a></u> Exhibit 10, # <u><a href="#">11</a></u> Exhibit 11) (emt, ) (Entered: 09/13/2019)
09/11/2019	<u><a href="#">2</a></u>	CIVIL Cover Sheet - by Willis C. McAllister. (emt, ) (Entered: 09/13/2019)
09/11/2019	<u><a href="#">3</a></u>	<b>APPLICATION to Proceed in District Court Without Prepaying Fees or Costs</b> - by Plaintiff Willis C. McAllister. (Attachments: # <u><a href="#">1</a></u> In Forma Pauperis Application, CV 17-00146 LEK-KSC) (emt, ) (Entered: 09/13/2019)
09/11/2019	<u><a href="#">4</a></u>	Order Setting Rule 16 Scheduling Conference is set for 09:00AM on 11/18/2019 before MAGISTRATE JUDGE ROM TRADER - Signed by CHIEF JUDGE J. MICHAEL SEABRIGHT on 9/11/2019. (Attachments: # <u><a href="#">1</a></u> Memo from Clerk Re: Corporate Disclosure Statements) (emt, ) (Entered: 09/13/2019)
10/22/2019	<u><a href="#">5</a></u>	MOTION Requesting that Judge D. K. Watson Recuse Himself from this Lawsuit; (Certificate of Service) - by Plaintiff Willis C. McAllister. (emt, ) (Entered: 10/23/2019)
10/24/2019	<u><a href="#">6</a></u>	EO: On October 22, 2019, pro se Plaintiff Willis McAllister filed a motion requesting that the undersigned recuse himself from this case <b>pursuant to 28 U.S.C. Section 455(a)</b> . Dkt. No. 5. Although McAllister does not explain the basis for his request, he does attach numerous entries from the court's docket sheet in <i>McAllister v. Adecco Group</i> , CV 16-00447



DKW, another case brought by McAllister over which the undersigned presided. These docket entry attachments suggest that the basis for the instant recusal motion is McAllister's evident dissatisfaction with this Court's rulings in that case, which is now on appeal.

But "judicial rulings alone almost never constitute a valid basis for a bias or partiality motion." *Liteky v. United States*, 510 U.S. 540, 555 (1994). And McAllister fails to **make an intelligible argument** (or, indeed, any argument) that "a reasonable person with knowledge of all the facts would conclude that the judge's impartiality might reasonably be questioned." *United States v. Holland*, 519 F.3d 909, 913 (9th Cir. 2008) (citation omitted). The motion is therefore DENIED.

IT IS SO ORDERED. (JUDGE DERRICK K. WATSON)(tyk)

COURTS CERTIFICATE of Service - Non-Registered CM/ECF Participants have been served by First Class Mail to the addresses of record listed on the Notice of Electronic Filing (NEF)

(Entered: 10/24/2019)

 10/24/19

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